

MEDIA RELEASE

**Attention: News Director
For Immediate Release
December 7, 2006**



**U.S. DEPARTMENT OF JUSTICE
DAVID L. HUBER
UNITED STATES ATTORNEY
Western District of Kentucky**

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**OHIO RESIDENTS PLEAD GUILTY TO LOOTING
ARCHEOLOGICAL SITE AT BARREN RIVER LAKE**

David L. Huber, United States Attorney for the Western District of Kentucky, announced today that on December 6, 2006, **RICHARD C. KIRK**, age 56, of Stout, Ohio, and **DAVID A. WHITLING**, 47, of Bell Fountain, Ohio, **pled guilty** to violations of the Archeological Resources Protection Act.

Kirk and **Whitling** admitted that on February 28, 2006, they entered on to Federal land to dig for archaeological relics -- specifically American Indian artifacts. **Kirk** and **Whitling** used rakes and digging implements to disturb and displace the surface of the ground, creating holes and displacing archaeological sediment.

The site where **Kirk** and **Whitling** were digging is an archeologically rich area near Barren River Lake which contains numerous American Indian artifacts, including Early Woodlands ceramics which date back to roughly 1500 to 300 B.C. It also is known to contain a variety of other items such as projectile points and stone tools.

Kirk faces a maximum potential penalty of 2 years imprisonment, a \$250,000 fine, and supervised release for a period of 1 year; and **Whitling** faces a maximum potential penalty of 1 year imprisonment, a \$10,000 fine, and supervised release for a period of 1 year.

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The case was prosecuted by Assistant United States Attorney Randy Ream and Special Assistant United States Attorney Dan E. Stigall and was investigated by the United States Army, Criminal Investigation Division.

The plea was entered before Thomas B. Russell, Judge, United States District Court, Bowling Green, Kentucky.

Both defendants are scheduled to be sentenced before Judge Thomas B. Russell, United States District Court, on March 8, 2007, at 11:30 a.m., in Bowling Green, Kentucky.

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